

Exhibit 3

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UNITED STATES DISTRICT COURT
DISTRICT OF NEW HAMPSHIRE

DERICK ORTIZ,)
Plaintiff)
v.) DOCKET NO.: 1:2019-cv-01025
)
SIG SAUER, INC.,)
Defendant)
_____)

DEPOSITION OF THOMAS TAYLOR

THIS DEPOSITION TAKEN PURSUANT TO NOTICE VIA
VIDEOCONFERENCE, ON THURSDAY, MAY 13, 2021, COMMENCING AT
10:12 A.M.

1 New Hampshire 03801.

2 Q. And is that your personal address or your work address?

3 A. That's personal.

4 Q. And what is your work address?

5 A. 72 Pease Boulevard, Newington, New Hampshire, 03801.

6 Q. And what is your email address with SIG?

7 A. Tom.taylor@sigsauer.com.

8 Q. And you're currently an employee of SIG, right?

9 A. I am.

10 Q. And what's your current title at SIG?

11 A. I'm chief marketing officer and executive vice president,
12 commercial sales.

13 Q. Chief marketing officer and -- I'm sorry, what vice
14 president?

15 A. Executive vice president, commercial sales.

16 Q. What does "commercial sales" refer to?

17 A. That is the market -- all the general market excluding
18 law enforcement, military, and international sales. So I
19 have the U.S. domestic market.

20 Q. So U.S. domestic not including law enforcement, military,
21 international?

22 A. Right. Consumer market. That would be retail stores,
23 distribution, and that sort of thing.

24 Q. Okay. Have you ever had your deposition taken before?

25 A. I have.

1 A. I simply pulled the numbers, you know, of P320s that were
2 sold from that time of launch from August of 2017, and
3 how many were returned, and those kinds of things, so I
4 pulled the numbers.

5 Q. Do you happen to have those numbers handy? If I were to
6 ask you, for example, the nationwide sales of P320
7 pistols from that time period, would you have that
8 available?

9 A. I do. And I pulled it from my -- you know, my area,
10 which is commercial sales, so I have that number
11 available, yes.

12 Q. So what are the total number of P320s sold nationwide?
13 You know, strike that.

14 I may say in the next series of questions the
15 applicable time period, and by "applicable time period,"
16 I literally just mean the date range I wrote down here,
17 January 1st, 2014, to August 8th, 2017.

18 So, with that, what are the total number of units of
19 P320s sold within the applicable time period in question
20 number eight.

21 A. So we sold 314,059 guns into the commercial market.

22 Q. And, again, by "commercial market," you're excluding law
23 enforcement, military, and international sales? These
24 are domestic U.S. consumer sales, right?

25 A. Yes, sir.

1 consumers.

2 Q. Do you remember when SIG sent that email blast you were
3 discussing earlier, notifying consumers about the
4 availability of the voluntary upgrade program? Do you
5 remember when that might have been?

6 A. It was very soon after the August 4th sort of news. I
7 believe it was around August 7th that we sent the
8 original upgrade information. We already had it together
9 at that point, and this one was almost a year later in
10 June of '18 when we sent another round out to consumers
11 to let them know, "Hey, reminding you that if you have a
12 320 pre-upgrade, send it back." And here's the
13 information in this exhibit that you're showing now.

14 Q. Do you know if the original email was produced in this
15 email?

16 A. I'm not understanding your question exactly.

17 Q. So you --

18 MR. JOYCE: Counsel, I believe it was mailed
19 but if you so -- by counsel, we did produce the rounds of
20 communications to the marketplace, so if you have a
21 question about that, Neal, just let me know. We'll tell
22 you where it is, or produce it again, or do something to
23 make sure you know what that is and where it is.

24 MR. DECKANT: Sure. So let me just work off
25 this one for now.